

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

|                           |   |                               |
|---------------------------|---|-------------------------------|
| ML Strategies, LLC,       | ) |                               |
|                           | ) |                               |
| Plaintiff,                | ) |                               |
|                           | ) |                               |
| v.                        | ) | Civil Action No. 04-10641-RCL |
|                           | ) |                               |
| The Noisette Company, LLC | ) |                               |
| d/b/a Noisette Company,   | ) |                               |
|                           | ) |                               |
| Defendant.                | ) |                               |

**STIPULATION OF DISMISSAL WITH PREJUDICE**

Pursuant to Fed. R. Civ. P. 41(a), all parties stipulate and agree that this action, including all claims and counterclaims, shall be dismissed with prejudice. Each party shall bear its own costs, and all rights of appeal are waived.

Respectfully submitted,

ML STRATEGIES, LLC  
By its attorneys,



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Boston, MA 02109  
(617) 367-1970

THE NOISETTE COMPANY, LLC,  
d/b/a NOISETTE COMPANY,  
By its attorneys,

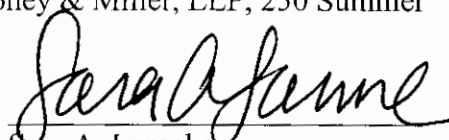


Sean F. McDonough, BBO# 564723  
MORRISON MAHONEY, LLP  
250 Summer Street  
Boston, MA 02210  
(617) 439-7500

Dated: July 15, 2005

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served by hand on defendant's counsel Sean F. McDonough, Esq., Morrison, Mahoney & Miller, LLP, 250 Summer Street, Boston, MA 02210-1181 on July 15, 2005.

  
Sara A. Laroche